<u>REMARKS</u>

This application has been reviewed in light of the Office Action dated January 23, 2008. Claims 1-7 are presented for examination, of which Claims 1, 4, and 5 are in independent form. Claim 1 has been amended to define Applicants' invention more clearly. Claims 3-7 have been added to provide Applicants with a more complete scope of protection. Favorable reconsideration is requested.

Claim 1 has been amended to remove the term "only" in the recitation "a second party inquiry that references only the secondary transaction number." Claim 1 has also been amended to add the recitation "wherein the second party inquiry does not include the primary account number." These claim amendments broaden the "second party inquiry" from the second party inquiry <u>only referencing</u> the secondary transaction number, to the second party inquiry including the secondary transaction number but <u>not including</u> the primary account number. Since the Office already asserts that the narrower previously presented Claim 1 is not patentable, Applicants respectfully submit that these amendments do not necessitate a basis for making the next Office Action final, should the Office enter a new grounds of rejection for Claim 1.

The Office Action rejected Claims 1 and 2 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,826,241 (*Stein et al.*, hereinafter "*Stein*"). Applicants submit that independent Claim 1 and added independent Claims 4 and 5, together with the claims dependent therefrom, are patentably distinct from the cited art for at least the following reasons.

Claim 1 recites, in part, "replacing the primary account number with the secondary transaction number in order to initiate a <u>second party inquiry that references the secondary transaction number</u>," (emphasis added).

On pages 3 and 4, the Office Action states:

replacing the primary account number with the secondary
transaction number in order to initiate <u>a second party inquiry (e.g.
a "chargeback-notification message" from front end program 90)</u>
which that references only the secondary transaction number (see
col. 11, line 54 – col. 12, line 7).

To summarize, the method for any transaction disclosed by Stein
includes storing a customer's credit card account information in
back end storage device 72. This account information is assigned a
"cardnumber 102," which represents but does not disclose the
credit card account information to the front end system, or to a
seller (see col. 5, lines 9-13 and 40-67). The chargeback process is
associated with a payin notification message that includes
cardnumber 102 (see col. 11, lines 54-67). Throughout the
chargeback process, <u>the front end system and the seller reference
only the cardnumber 102-B of the customer</u>, not the customer's
credit card account information.

(Emphasis added).

Applicants have carefully studied *Stein* and are unable to agree with the Office

Action's characterization of that reference for the following reasons. The Office Action appears

to equate the claimed "secondary transaction number" with *Stein's* "cardnumber 102B." The

Office Action also appears to equate the claimed "second party inquiry" with *Stein's* chargeback-

notification messages. However, Applicants respectfully submit that *Stein's* chargeback-

notification messages fail to provide any reference to *Stein's* "cardnumber 102B," nor any other

account number.

In particular, *Stein* appears to disclose two forms of a chargeback-notification

message, "a payin-chargeback-notification message 220" and "a payout-chargeback-notification

message 222." *See Stein* Col. 11, line 62 – Col 12, line 7. *Stein* states that "the payin-

chargeback-notification message 220 contains the notification-identifier 144 associated with the

pay-in method 108, and, the pay-in amount 134 in the currency 112 associated with the buyer's

account 100." *Stein* Col. 11, lines 64-67. *Stein* also states that "the payout-chargeback-

notification message 222 contains the server's transaction-identifier 138, the amount 134, and the currency 112 charged back to the buyer 20." *Stein* Col. 12, lines 4-7. Thus, while *Stein's* chargeback-notification messages reference "notification-identifier 144," "pay-in amount 134," "the server's transaction-identifier 138," "the amount 134," "the amount 134, and the currency 112," *Stein's* chargeback-notification messages both fail to reference any form of a "secondary transaction number" as claimed.

Nothing has been found in *Stein* that is believed to teach or reasonably suggest "replacing the primary account number with the secondary transaction number in order to initiate <u>a second party inquiry that references</u> the secondary transaction number," as recited by Claim 1 (emphasis added).

Accordingly, Applicants submit that Claim 1 is not anticipated by *Stein*, and respectfully request withdrawal of the rejection under 35 U.S.C. § 102(b).

Added independent Claim 4 recites, in part, "requesting, by a merchant, that the provider return a secondary transaction number (STN) in lieu of returning the account number" and "maintaining, by the merchant, a record of the transaction, wherein the merchant replaces the account number with the STN and the record does not include the account number." As best understood by Applicants, *Stein* is silent with regard to the storage of transaction records at the merchant. Moreover, nothing has been found in *Stein* to teach or reasonably suggest the aforementioned "requesting" and "maintaining" steps of added independent Claim 4.

Added independent Claim 5 includes a second party inquiry feature similar to that discussed above with respect to Claim 1. Therefore, that claim is also believed to be patentable for at least the same reasons as discussed above with respect to Claim 1.

The other rejected claims in this application depend from one or another of the independent claims discussed above and, therefore, are submitted to be patentable for at least the same reasons. Since each dependent claim also is deemed to define an additional aspect of the invention, individual consideration or reconsideration, as the case may be, of the patentability of each claim on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicants respectfully request favorable reconsideration and early passage to issue of the present application.

Applicants' undersigned attorney may be reached in our New York Office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,

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